

**REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

**Status of Claims:**

No claims are currently being cancelled.

Claims 1, 11, 13 and 15-17 are currently being amended.

No claims are currently being added.

This amendment and reply amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-17 are pending in this application.

**Note Concerning Claims 11, 12 and 15-17:**

It is noted with appreciation that claims 11, 12 and 15-17 are not rejected over any cited art of record. It is believed that the amendments made to claims 11, 12 and 15-17 to address the 35 U.S.C. § 112, 1<sup>st</sup> paragraph rejection of those claims (see below) does not affect the fact that these claims in their present form distinguish over the cited art of record.

**Claim Rejections – 35 U.S.C. § 112, 1<sup>st</sup> Paragraph:**

In the Office Action, claims 11, 12 and 15-17 were rejected under 35 U.S.C. § 112, 1<sup>st</sup> paragraph, a failing to comply with the written description requirement, since “a slot”, “a first slot” and “a second slot” are not properly described in the specification. In response, claims 11, 12 and 15 have been amended to remove the references to slot, and to more clearly describe the features of the joint (see joint 16 in Figures 5A, 5B and 5C of the drawings), whereby presently pending claims 11, 12 and 15-17 are believed to fully comply with 35 U.S.C. § 112, 1<sup>st</sup> Paragraph.

**Claim Rejections – Prior Art:**

In the Office Action, claims 1 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0142794 to Harano in view of U.S. Patent No. 6,208,300 to Johnson; claims 13 and 14 were rejected under 35 U.S.C. § 103(a) as

being unpatentable over Harano in view of U.S. Patent No. 6,615,026 to Wong; claims 3-5 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Harano in view of Johnson and further in view of Wong; claims 6, 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Harano in view of Johnson and further in view of U.S. Patent No. 7,031,762 to Shoji et al.; and claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Harano in view of Johnson and further in view of U.S. Patent No. 6,590,544 to Filipovic. These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

Presently pending independent claim 1 recites a dielectric member with a predetermined dielectric constant and little loss is mounted on a back side of the antenna such that the dielectric member is positioned farther away from a head of a user than the antenna is positioned with respect to the head of the user, when the user is operating the portable telephone. See, for example, the disposition shown in Figure 3 of the drawings, whereby a user's head may correspond to element X in that figure.

Turning now to the cited art of record, the Office Action relies on Johnson to allegedly show a dielectric member with a predetermined electric constant and little loss that is mounted on a back side or a front side of the antenna. However, while Johnson describes an antenna enhancement device 12 that includes an elongate conductive element 30 and a support member 32 that is provided farther away from a user of the mobile telephone 10 when the user is operating the mobile telephone 10, the antenna enhancement device 12 is not mounted on a back side of an antenna 26 such that the back side of the antenna 26 **is entirely coupled to and thereby covered by** a surface of the elongate conductive element 30, as now recited in independent claim 1.

Accordingly, as the disposition of the antenna enhancement device 12 and the antenna 26 of Johnson does not provide the benefits of the close mounting of an antenna and a dielectric member as recited in independent claim 1, and since Harano does not rectify these deficiencies of Johnson, presently pending independent claim 1 is patentable over the cited art of record.

With respect to the rejection of independent claim 13 over the combined teachings of Harano and Wong, the Office Action relies on Wong to teach a dielectric member positioned farther from where a palm of a user is located than an antenna is positioned with respect to

the palm of the user, when the user is holding the portable telephone within the palm in order to operate the portable telephone. However, Wong's disposition of his dielectric member is within a housing of his mobile telephone, as seen in Figure 1 of Wong, and thus Wong does not teach or suggest an antenna is mounted on a lower end of the lower casing on an outer surface of the lower casing, as recited in presently pending independent claim 13.

Thus, since Harano does not rectify the above-mentioned deficiencies of Wong, presently pending independent claim 13 is patentable over the cited art of record.

It is noted that neither Shoji et al. nor Filipovic rectify the above-mentioned deficiencies of Wong and Johnson, and thus all of the presently pending claims are patentable over the cited art of record, when taken as a whole.

**Conclusion:**

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date May 30, 2007

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